

Notice of Allowability

Application No.

10/810,806

Examiner

Edward F. Landrum

Applicant(s)

SMITH, RICHARD W.

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to Applicant's remarks filed on 11/29/2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Amended Claims.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendments was given in a telephone interview with Douglas Hanscom on 1/17/2006.

Claims

The phrase "A stitch tab scrap stripper" on line 1 claims 1, 17, 18, and 20 has been changed to --A stitch tab scrap stripper and die--.

Allowable Subject Matter

2. Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance:

3. Claims 1 and 17 are allowable for defining a pivot arm with a pivot shaft located on the pivot arm forming the pivot arm into two distinct sections, a biasing segment and a stripping segment. The pivot shaft secures the pivot arm onto a die block, and the die block being securable to a slotter roller of a box blank slotter. The biasing segment of the pivot arm exerts a force that opposes the movement of the stripper segment.

Garratt (U.S Patent No. 1,108,898) teaches the basic structure of a stripping apparatus but is not capable of being attached to a slotter roller of a box blank slotter.

Bell (U.S Patent No. 4,295,842) teaches the basic structure of a stripping apparatus capable of being attached to a slotter roller of a box bank slotter but fails to teach the biasing segment of the pivot arm exerting a force on the stripper segment of the pivot arm opposing the movement of the stripper segment. Instead Bell teaches a helical spring (65) attached to the stripper segment (62) that exerts a force opposing motion of the stripper segment. The biasing segment of (67) of Bell does not exert a force that opposes the motion of the stripper segment.

While Garratt, and Bell are considered combinable it would be hindsight to provide the basic structure of a dispensing apparatus from Bell, and incorporate a biasing segment which exerted a force on the stripper segment as set forth in Garratt. Furthermore, even though both Garratt and Bell are both stripping mechanisms, each is designed to perform in different environments with different geometric dimensioning and tolerancing requirements. The biasing segment design of Garratt could not be incorporated into the stripper and die block design of Bell.

4. Claims 2-12, and 14-16 are dependent upon claim 1 and are therefore allowable.
5. Claim 19 is dependent upon claim 17 and is therefore allowable.
6. Claim 13 is allowable for defining a pivot arm with a pivot shaft located on the pivot arm forming the pivot arm into two distinct sections, a biasing segment and a stripping segment. The pivot shaft secures the pivot arm onto a die block. The biasing segment of the pivot arm exerts a force that opposes the movement of the stripper segment. Lastly, defining a fulcrum block located on the biasing segment, the fulcrum block having a leading sloped camming surface and a trailing planar camming surface.

Garratt teaches all of the elements of the current invention as stated above except for the camming surfaces located on the fulcrum block.

Bell teaches all of the elements of the current invention as stated above except for the fulcrum block, and therefore the block's camming surfaces.

Simpson et al (U.S Patent No 5,111,725) teaches the use of a fulcrum block (50) in a scrap ejector, but fails to teach a pivot arm having two segments separated by a pivot shaft.

Kulwicki et al (U.S Patent No. 3,499,370) teaches the use of cammed fulcrum blocks.

While it would have been obvious to have modified Simpson et al to incorporate the teachings of Kulwicki et al a create a cammed fulcrum block to better eject stitch scraps, it would have been hindsight to combine Simpson et al and incorporate the teachings of Bell by providing a pivot shaft that separate the pivot arm into two segments.

Garratt is not combinable with any of these references for the same reasons as stated in section 3.

7. Claims 18 is allowable for defining a pivot arm with a pivot shaft located on the pivot arm forming the pivot arm into two distinct sections, a biasing segment and a stripping segment. The pivot shaft secures the pivot arm onto a die block. The biasing segment of the pivot arm exerts a force that opposes the movement of the stripper segment. The stripper segment of the pivot arm has a free end adjacent to a stitch tab-cutting knife.

Garratt teaches all of the elements of the of the current invention as stated above, but fails to teach a first end of a stripper segment being adjacent to a stitch tab-cutting knife.

8. Claim 20 is allowable for defining a pivot arm with a pivot shaft located on the pivot arm forming the pivot arm into two distinct sections, a biasing segment and a stripping segment. The pivot shaft secures the pivot arm onto a die block. The biasing segment of the pivot arm exerts a force that opposes the movement of the stripper segment. The stripper segment of the pivot arm has a free end with a box blank engaging means attached to the free end.

Garratt teaches all of the elements of the of the current invention as stated above, but fails to teach a first end of a stripper segment having a box blank engaging means attached to it.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward F. Landrum whose telephone number is 571-272-5567. The examiner can normally be reached on Monday-Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EFL
1/17/2006




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